

Excerpts
Planning Commission Minutes
January 10, 2001

Application No. UP-567-01, Sharon E. Dirmeyer, DVM: Request for a special use permit, pursuant to Section 24.1-306 [category 2, number 7(a)] of the York County Zoning Ordinance, to establish a veterinary hospital without outside runs on a 1.64-acre parcel located at 329 Hampton Highway approximately 1,100 feet north of the intersection of Hampton Highway (Route 134) and Victory Boulevard (Route 171)

Mr. Tim Cross presented a summary of the staff memorandum to the Commission dated December 28, 2000 and noted the staff's recommendation of approval.

Mr. Shepperd asked about projected tax revenues from the business. Mr. Cross noted that the fiscal impact would be positive but that staff had not quantified the fiscal impact because it did not significantly affect the staff's recommendation.

Mr. Shepperd said the proposed clinic would appear to fit its environment.

In response to Mr. Shepperd's inquiry about drainage, Mr. Cross noted there is a creek on the northern property line and added that the County stormwater management team has reviewed the application. The applicant would be required to provide a positive drainage system and to submit an erosion and sediment control plan before any land disturbing can be commenced.

The Chair opened the public hearing.

Sharon Dirmeyer, DVM, 503 Calthrop Neck Road, offered to answer questions.

Mr. Semmes asked if the rendering of the building attached to the staff report is expected to be the final plan, and Dr. Dirmeyer said the building, if approved, will very closely resemble the rendering.

Mrs. White asked how Dr. Dirmeyer might respond to neighbors' complaints about barking dogs. Ms. Dirmeyer noted that she is sensitive to noise in violation of others' rights. She said a dog might bark while going from the car to the door of the clinic, but in her past experience that has not been a neighborhood nuisance. No outdoor runs or kennels will be provided. Dr. Dirmeyer said she will meet with any neighbor who has concerns or complaints.

In response to Mr. Heavner's question about possible expansion of the clinic, Dr. Dirmeyer said she does not anticipate expanding but plans to create sufficient parking to accommodate any possible future expansion, while keeping as much green space as possible.

Mr. Cross noted for the Commission that any expansion of 25 percent or more in size would require an amendment to the use permit, with full review and public hearings by both the Planning Commission and the Board of Supervisors.

Ms. Sandra Hawkins Dickerson, 2010 Woodmont Drive, owns property adjacent to the site of the proposed use. She asked if any dog runs or cages would be placed outside, if plans are in

place for adequate waste disposal and odor control, and how any road that accessed the site would affect her property.

Mr. Semmes told Ms. Dickerson it appeared that Dr. Dirmeyer had addressed most of her concerns and suggested they meet together to address any remaining questions. He told her one deceleration lane is proposed to access the proposed clinic.

There were no others to speak, and Chair Semmes closed the public hearing.

The Commissioners agreed that the proposal conforms to the Comprehensive Plan, it is attractive and appears to be a good use of the property.

Mr. Heavner moved the adoption of Resolution PC01-3 to recommend approval. It passed unanimously, 6:0 (Mr. Simasek absent).

PC01-3

On motion of Mr. Heavner, which carried 6:0, the following resolution was adopted:

**A RESOLUTION TO APPROVE AN APPLICATION FOR A SPECIAL USE
PERMIT TO AUTHORIZE A VETERINARY CLINIC WITHOUT OUTSIDE
RUNS AT 329 HAMPTON HIGHWAY**

WHEREAS, Sharon E. Dirmeyer, D.V.M., has submitted Application No. UP-567-01, which requests a special use permit, pursuant to Section 24.1-306 [category 2, number 7(a)] of the York County Zoning Ordinance, to establish a veterinary clinic without outside runs on a 1.64-acre parcel located at 329 Hampton Highway approximately 1,100 feet north of the intersection of Hampton Highway (Route 134) and Victory Boulevard (Route 171) and further identified as Assessor's Parcel No. 37-53; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 10th day of January, 2001, that Application No. UP-567-01 be, and it hereby is, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize a special use permit, pursuant to Section 24.1-306 [category 2, number 7(a)] of the York County Zoning Ordinance, to establish a veterinary clinic without outside runs on a 1.64-acre parcel located at 329 Hampton Highway approximately 1,100 feet north of the intersection of Hampton Highway (Route 134) and Victory Boulevard (Route 171) and further identified as Assessor's Parcel No. 37-53, subject to the following conditions:

1. This special use permit shall authorize the establishment of a veterinary clinic without outside runs on a 1.64-acre parcel located at 329 Hampton Highway approximately 1,100 feet north of the intersection of Hampton Highway (Route 134) and Victory Boulevard (Route 171) and further identified as Assessor's Parcel No. 37-53.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of *Environmental and Development Services, Division of Development and Compliance*, prior to the commencement of any land clearing or construction activity on the subject parcel. Said site plan shall be in substantial conformance with the sketch plan submitted by the applicant to the York County Planning Division on November 29, 2000, supplemented by a letter submitted by the applicant dated November 29, 2000.
3. The project shall be designed to provide a single access from Hampton Highway to serve all future development on the parcel. Subsequent subdivision of the parcel shall not be reason to authorize additional access points.
4. Freestanding signage shall be limited to a single monument-style sign with a maximum area of thirty-two (32) square feet.
5. In accordance with the provisions of Section 24.1-245 of the Zoning Ordinance, a thirty-five foot (35') greenbelt buffer shall be preserved along the front property line of the subject parcel adjacent to Hampton Highway. Said buffer shall be augmented with additional plantings designed to achieve, at a minimum, the planting ratios for a twenty-foot (20') front landscape yard along the front property boundary adjacent to the Hampton Highway right-of-way.
6. The veterinary clinic shall be adequately soundproofed and constructed so that there will be no emission of odor or noise detrimental to other properties or uses in the area.
7. All animals shall be kept in pens or other enclosures designed and maintained for secure confinement.
8. A waste management plan which ensures sanitary handling of animal wastes and prevents contamination or pollution of adjacent lands or water bodies shall be submitted to and approved by the Zoning Administrator prior to establishment of the vet clinic.
